T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

To Examiner: E2222, 22222	Date:			07-Nov-07	APPL. S. N:	10650597				
SUBJECT: Decision on Terminal Disclaimer(T.D.) filed: INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriat form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete initial, date and return this memo to me. THANK YOU. The T.D. is PROPER and has been recorded (see 14.23). The T.D. is PROPER and has not been accepted for the reason(s) checked below (see 14.24): The T.D. is NOT PROPER and has not been submitted nor is there any authorization in the application file for the use of a deposit account The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01). The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01). The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a termi portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02). The person who signed the T.D.: is not an attorney "of record" (see 14.29 and 14.29.01). has failed to state his/her capacity to sign for the business entity (see 14.28). is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02). No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 GFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifyi	To Exami	ner:		ZZZZZ, ZZZZZ	Art Unit	2671				
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Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination ZETTWOCH, ROBERT NEAL						
Document Code - DISQ	Internal Doc		cument – DC	cument – DO NOT MAIL					
TERMINAL DISCLAIMER			☐ DISAPP	□ DISAPPROVED					
Date Filed : October 30, 2007	to a Te	nt is subject erminal laimer							
Approved/Disapproved by:									
Henry D. Jefferson									

U.S. Patent and Trademark Office

PTO/SB/25 (07-06)
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ERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOLLE BATELITIES.

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION	BO1 - 0078US						
In re Application of: Robert Neal Zettwoch	•						
Application No.: 10/850,597	•						
Filed: 8/28/2003							
For: Fibre Channel Interface Unit							
The owner*, The Boeing Company, of							
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.							
Check either box 1 or 2 below, if appropriate.							
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.							
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
2. The undersigned is an attorney or agent of record. Reg. No. 40498							
Jale C Flam Signature	Od. 30, 2007						
Dale C. Barr							
Typed or printed name	000 045 4004						
	206-315-4001 Telephone Number						
✓ Terminal disclaimer fee under 37 CFR 1.20(d) is included.							
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.							
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.							

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gethering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.